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No. 02-1624

IN THE

Supreme Court of the United States

ELK GROVE UNIFIED SCHOOL DISTRICT, *Petitioners*,

v.

MICHAEL A. NEWDOW, *Respondent.*

ON WRIT OF CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT

BRIEF *AMICI CURIAE* OF GRASSFIRE.NET AND HUNDREDS OF THOUSANDS OF AMERICANS IN SUPPORT OF PETITIONER

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INTREST OF *AMICI*[*]

Amicus Curiae, Grassfire.net, is a grassroots organization representing over one million United States citizens. Led by citizens who want to use the internet to expand their impact on important political and social issues, Grassfire.net is one of the nation's fastest growing centers of online citizen activism.

SUMMARY OF THE ARGUMENT

The words "under God" in the Pledge of Allegiance are not an unconstitutional establishment of religion. The Supreme Court has repeatedly held this to be the case. The Ninth Circuit blatantly ignored the clear statements of this Court, and is pretending that the important distinctions between religious activities and patriotic activities, which this Court has clearly drawn, do not exist.

The Ninth Circuit's ruling, however, calls into question something much more important, namely, whether the United States, as a government, may recognize the Laws of Nature and Nature's God as the ultimate source of inalienable human rights. May the government recognize, as does the Declaration of Independence, that it is not the ultimate source of the rights of its citizenry, and that one of its main purposes for existing is to safeguard the rights already endowed to the people by their Creator?[1] The answer must be yes. To answer in the negative is to cast into the doubt the very principles that gave rise to moments in history

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[*] Pursuant to Rule 37.3(a) of the Rules of this Court, *Amici* have obtained and lodged the written consents of all parties to the submission of the *Amici Curiae* brief. Pursuant to Rule 37.6, *Amici* affirm that no counsel for a party authored this brief in whole or in part, and that no person, other than *Amici* and its counsel, made a monetary contribution to the preparation or submission of this brief.

[1] See, THE DECLARATION OF INDEPENDENCE para. 2-3 (U.S. 1776).

such as the Declaration of Independence and the Emancipation Proclamation. It is the recognition, by the government, that it exists to protect rights it can not give and can not take away that has made it clear to the government that it can not mandate a belief in God and that all individuals have the inalienable right to freedom. The first step to fulfilling this duty is the recognition of the Creator who endowed human beings with inalienable rights.

The greatest protection for the continued existence of these inalienable rights is our agreement that they are an "endowment", and are therefore not conferred by a civil authority; they are fundamental human rights and not simply "civil" rights. They pre-existed any formal governmental structure and, since these rights were not granted or conferred by the State to its citizens, (but are instead to be protected and defended by the State); they secure our freedom as a people and form the moral basis of a truly free society.

The affirmation that the source of these rights is a Creator has been woven into the fabric of our founding documents, either explicitly as in the Declaration or implicitly as in the Constitution. It is also passed on through America's cultural and civic expressions, practices, and polity in order to communicate these truths to the generations and thereby secure their continuance as part of the American experiment.

It was this principle, again working in the institutions of the United States government, that led to the addition of the words "under God" to the Pledge of Allegiance in 1954. This addition was a direct response to the state endorsed atheism of various Communist countries that refused to recognize a higher law. This refusal led to the brutal repression of its peoples and the denial of the concept of unalienable rights.

To continue to allow school children to recite the Pledge of Allegiance in its current form does not establish a particular religion or advance a non-secular agenda. To the contrary, the recognition of a creator who is the source of all rights, by the United States government, is the first step towards properly administrating protecting the rights of all American citizens. The ruling of the Ninth Circuit Court of Appeals must be overturned.

ARGUMENT

I. The Ninth Circuit, in its decision to uphold the District Court, blatantly ignored the clear distinctions drawn by this Court, which differentiate between activities that are predominantly religious and those which are patriotic and contain "religious" phraseology.

The Supreme Court, beginning with the case of *Engel v. Vitale*, 370 U.S. 421 (1962), clearly differentiates between activities that are considered "religious" and those which are merely patriotic and that happen to contain religious references. In *Engel* the Court held that New York's law requiring the opening of the school day with prayer was in violation of the First Amendment. The Court also stated that,

> There is . . . nothing in the decision reached here that is inconsistent with the fact that school children and others are officially encouraged to express love for our country by reciting historical documents such as the Declaration of Independence which contains references to Deity or by singing officially espoused anthems which include the composer's professions of faith in a Supreme Being, or with the fact that there are many manifestations in our public life of belief in God. Such patriotic or ceremonial occasions bear no

> true resemblance to the unquestioned religious exercise that the State of New York has sponsored in this instance.

Id. at 435 n.21.

The following year, the Court again took up the issue of the difference between religious and patriotic exercises. In *School District of Abington Township v. Schempp*, 374 U.S. 203 (1963), the Court struck down mandatory public Bible reading in schools. It again, however, distinguished this from patriotic exercises with religious references:

> The First Amendment does not prohibit practices, which by any realistic measure, create none of the dangers which it is designed to prevent and which do not so directly or substantially involve the state in religious exercises or in the favoring of religion as to have meaningful and practical impact.

Id. at 308 (Goldberg J., concurring).

In *Lynch v. Donnelly*, 465 U.S. 668 (1984), the Court held that "there is an unbroken history of official acknowledgment by all three branches of government of the role of religion in American life," and that "[o]ur history is replete with official references to the value and invocation of Divine guidance in deliberations and pronouncements of the Founding Fathers and contemporary leaders." *Id.* at 674-75.

> [E]xamples of reference to our nation's religious heritage are found in the statutorily prescribed national motto "In God We Trust," 36 U.S.C. § 186, which Congress and the President mandated for our currency, *see* 31 U.S.C. § 5112(d)(1) (1982 ed.), and in the language "*One Nation Under God*," as part of the Pledge of Allegiance to the American flag. That

> pledge is recited by many thousands of public school children – and adults – every year.

Id. at 676-77 (emphasis added).

The Ninth Circuit, in ruling that the words "under God" violate the Establishment Clause of the First Amendment, clearly ignored the unambiguous statements of Justice O'Connor that the Endorsement Test, which she created, does not render the Pledge of Allegiance unconstitutional. In *Wallace v. Jaffree*, 472 U.S. 38 (1985), Justice O'Connor stated that the words "under God" in the Pledge of Allegiance "serve as an acknowledgement of religion with the legitimate secular purpose of solemnizing public occasions . . . ." *Id.* at 78 n.5 (O'Connor, J., concurring) (quoting Lynch, 465 U.S. at 693) (O'Connor, J., concurring).

The words "under God" do not fall into the same category as such overt religious activities as Bible reading and/or required recitation of the Lord's Prayer. These words are a simple recognition of the Laws of Nature and Nature's God which was explicitly made the corner stone and basis of the American Republic in the Declaration of Independence. To disallow such a phrase would subject the majority of Americans' consciences to the tyranny of the minority, in this case those who disbelieve in a Supreme Being. The First Amendment clearly prevents the government from establishing a National Church or favoring a particular religion at the expense of other sects. "The First Amendment, however, does not say that in every and all respects there shall be a separation of Church and State. Rather, it studiously defines the manner, the specific ways, in which there shall be no concert or union or dependency one on the other." *Zorach v. Clauson,* 343 US 306, 312 (1952).

The Declaration of Independence and the United States Constitution both reflect the central American belief in the sovereignty of the people to choose their own form of government, as well as the conviction that the source of our rights is greater than that chosen government. Both are vital to the continuance of the American Experiment. Essential to the proper exercise of office by those to whom governance is entrusted is this belief in the inviolable presence of basic inalienable human rights, endowed upon human persons, from an absolute authority higher than the civil government. This authority must precede and preempt any coercive force by any human person or institution, or all of our rights are subject to some hoped for benevolence from a fallible, inconstant human and civil authority. This Court has made it clear that patriotic occasions such as a recitation of the Pledge of Allegiance do not violate the Establishment Clause of the First Amendment.

> We are a religious people whose institutions presuppose a Supreme Being. We guarantee the freedom to worship as one chooses. . . . When the state encourages religious instruction or cooperates with religious authorities by adjusting the schedule of public events to sectarian needs, it follows the best of our traditions. For it then respects the religious nature of our people and accommodates the public service to their spiritual needs. To hold that it may not would be to find in the Constitution a requirement that the government show a callous indifference to religious groups. *That would be preferring those who believe in no religion over those who do believe.*

Id. at 313-14 (emphasis added).

It is not simply history or the religious heritage of the nation which should allow such a phrase as "Under God". It is the fact that Governments have the right to acknowledge that they are not the final authority and power in order of the universe. Governments can recognize, as the Declaration of Independences states that it is a government's duty to acknowledge that the rights of the person do not come from the benevolent whims of legislative, executive, or judicial bodies but come from the Laws of Nature and Nature's God.

II. The holding of the Ninth Circuit has the effect of ruling any description of this nation which includes God or religious references unconstitutional.

This case turns upon whether the United States government acting through its constitutionally prescribed process has the right to recognize the existence of the Laws of Nature and Nature's God, the Creator who instills in all humankind the inalienable human rights which set human beings apart from the beasts of the field and the birds of the air. This Court has recognized the right the United States government to acknowledge God when it held, "We are a religious people whose institutions presuppose a Supreme Being." *Zorach*, 343 U.S. at 313. History attests that without this recognition much of this nation's past actions would not have been possible, including our very founding.

A. THE UNITED STATES OF AMERICA HAS A FUNDAMENTAL RIGHT TO ACKNOWLEDGE THE LAWS OF NATURE AND NATURE'S GOD.

In 1776, the United States of America came into existence through a document entitled The Unanimous

Declaration of the Thirteen United States of America. It has come to be known as the Declaration of Independence. The Declaration of Independence has for its authority and weight, an appeal to the Laws of Nature and Nature's God. It recognized a higher law at work among the nations of the world that limited the power of countries and rulers. The Declaration made explicit the idea that human beings are endowed by their Creator with inalienable rights that are not given by governments and that cannot be taken away from citizens by their rulers.[2] They can, however, be violated and it was the perceived violation of their inalienable rights that led the colonists to come together and risk their lives, their fortunes, and their sacred Honor.[3] It was this recognition of God that allowed the Founders to see and to state that government's main purpose for existence is to protect the inalienable rights of its citizens.[4]

President Abraham Lincoln, in the Gettysburg Address, reiterated these principles in an attempt to call the United States' collective attention to greater issues than the confederacy versus the union at a critical time in our national history.

> Four score and seven years ago our fathers brought forth on this continent, a new nation, conceived in Liberty, and dedicated to the proposition that all men are *created* equal. . . .[W]e here highly resolve that these dead shall not have died in vain – that this nation, *under God*, shall have a new birth of freedom . . . .[5]

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[2] THE DECLARATION OF INDEPENDENCE para. 2-4 (U.S. 1776).
[3] *Id.* at para. 36.
[4] *Id.* at para. 2.
[5] President Abraham Lincoln, *The Gettysburg Address, in* ABRAHAM LINCOLN: GREAT SPEECHES 103-04 (1991) (emphasis added).

The principal that there are truths that we hold together, and that they are self-evident, gives meaning, life and substance to this vision of self-governance. Those truths are written in the order of nature and the rights that they secure flow from Nature's God, an acknowledged authority that grants, validates, and guarantees our basic human rights. This source of our rights and liberties must therefore first exist, and second, must be absolute. These conclusions logically preclude atheism as a State affirmation or a foundational basis for any system of inviolable and inalienable rights. Thus, to recognize a basic monotheistic belief reinforces our guaranteed freedoms, it does not infringe upon them. The freedoms of conscience and intellect that our basic inalienable rights protect also safeguard an individual's choice to ascribe to atheism along with any other form of guiding philosophy or religion.

By adding the words "under God" to the Pledge, Congress clearly recognized its duty and responsibility to the Creator in its treatment of United States citizens:

> Our American government is founded on the concept of the individuality and the dignity of the human being. Underlying this concept is the belief that the human person is important because he was created by God and endowed by Him with certain inalienable rights which no civil authority may usurp.
>
> H.R. REP. NO. 18-1693, at 1-2 (1954).

Even more recently, President John F. Kennedy, in his Inaugural Address, restated this principle, "[T]he same revolutionary beliefs for which our forbears fought are still at issue around the globe – the belief that the rights of man

come not from the generosity of the state, but from the hand of God."[6]

B. THE ADDITION OF THE WORDS "UNDER GOD" TO THE PLEDGE OF ALLEGIANCE WAS AN EXPLICIT ACKNOWLEDGMENT OF GOD THAT SERVED TO DISTINGUISH AMERICA'S IDEAS ABOUT HUMAN RIGHTS AND THEIR SOURCE FROM THOSE OF ATHIEST COMMUNIST COUNTRIES.

This fact has been admitted to by the lower court in this case. It is clear that Congress and the President intended to make a statement, one that clearly echoed those of their patriotic predecessors that the United State was not like those atheist communist regimes who refused to acknowledge that their citizens possessed inalienable human rights.

Representative Louis Rabault, who first introduced a bill to permanently add the words "under God" to the Pledge, referring to the conviction that American political institutions reflect the worthiness of individual human beings, stated, "[t]hat conviction is . . . based on our belief that the human person is important because he has been created in the image and likeness of God and that he has been endowed by God with certain inalienable rights which no civil authority may usurp." 100 CONG. REC. 5750 (1954). Representative Rabault made it clear that this cornerstone of American

[6] President John F. Kennedy, *Inaugural Address (Jan. 20, 1961), in* DAVIS NEWTON LOTT, THE PRESIDENTS SPEAK: THE INAUGURAL ADDRESSES OF THE AMERICAN PRESIDENTS FROM GEORGE WASHINGTON TO GEORGE WALKER BUSH (2002).

philosophy was "under attack" by Communism. The final House report on the issue implies he was not alone.

> At this moment of our history the principles underlying our American Government and the American way of life are under attack by a system whose philosophy is at direct odds with our own. . . . . The inclusion of God in our pledge therefore would further acknowledge the dependence of our people *and our Government* upon the moral directions of the Creator. At the same time it would serve to deny the atheistic and materialistic concepts of communism with its attendant subservience of the individual.

H.R. REP. NO. 83-1693, at 1-2 (1954).

Our democratically elected representatives altered the Pledge of Allegiance, at the expressed desire of the citizenry, at a time when our nation's political structures and unique notion of rights had been under assault from all types of totalitarianism—from Fascism and Nazism, to Communism in particular. That assault, which rocked the world community, including, but not limited to, the European theater, called on us as Americans to offer an articulate alternative to defend our foundational understanding of basic human rights offered equally to all individuals. Simply put, we chose to reaffirm the source of our liberties and individual human rights.

A state which does not recognize that it is not free to make any law it pleases is also not prevented from being infected by the vicious totalitarianism that is common among such countries as the former Soviet Union, China, Cuba, and North Korea. The United States as a nation from its founding has firmly rejected such a notion. The United States has recognized that nations are not the final arbiters of the rights

of persons. It recognizes the Laws of Nature and Nature's God do not permit nations to take from its citizens what it did not and cannot give. The U.S. Congress in adding the words "under God" to the pledge was directly addressing this issue and distinguishing America from other nations; nations who do not recognize that governments are instituted among men for the purpose of securing those inalienable human rights which are endowed by the creator.

The pledge affirms what is common to all of us by virtue of living as citizens in the United States of America. The Pledge of Allegiance expresses the union of our nation, and affirms that whatever the particular beliefs of each individual may be, each of us has a common bond to the basic premise, of inalienable human rights, and chooses to support this unique system of government.

For those alive at the time of the addition of the phrase that has led to this case, "under God", belief in a higher power was not extricable from the central civil creed of American consciousness encapsulated in the Pledge of Allegiance. Rather, such a belief, then, as now, was a necessary constitutive element of our national identity. It was what set us apart, in contradistinction with and opposition to tyrants and coercive atheistic regimes all over the world. That is not to say that everyone in the United States held identical religious beliefs at the time when these words were added, or that there were no atheists in our nation. Indeed, some Americans probably had quite variant ideas of what our political structure should be. Some actually favored the very Communist structure that our nation as a whole opposed for some forty years. That said, while our system of government calls us to tolerate diversity or a plurality of beliefs, we should not alter our entire system and structure to suit the whimsy of dissidents or even the insistent minority.

The recognition by the United States, that the rights of humankind come not from the state but from the Creator, has served to give moral weight to the efforts of this nation to ensure that all peoples, not just American citizens, are given the respect and protection they deserve as children of the Creator. If the rights of persons come only from the state, how can one state tell another which rights to grant? Furthermore, how can America's actions, from the fighting of the War Between the States to free a class of men, to the fighting against Nazism and Communism, to the current War on Terror, be anything but a country enforcing how it thinks others should behave? If this court holds that Americans' are not able to recognize a divine Creator then the rights which Americans have enjoyed since this countries founding are ultimately at risk.

III. Allowing school children to continue reciting the Pledge of Allegiance does not violate the rights of atheists and does not constitute an establishment of religion.

A. A RECITATION OF THE PLEDGE DOES NOT NECESSITATE A BELIEF IN GOD.

As stated above, the recitation of the pledge of allegiance is a political exercise not a religious one. Furthermore, recitation of the Pledge is not an instrument of sectarianism or coercion. The Pledge in its current form does not require the person reciting it to believe in God at all.

The Pledge of Allegiance is not a religious work. It belongs to no sect or denomination. It does not support the creed of any particular religious group or set forth any dogma or doctrine which must be assented to in order to recite it. An atheist can, while holding firmly to his constitutionally

protected belief that there is no God, recite the pledge and mean every word he recites.

Even groups with radically un-American views, such as Racial Supremacists, are granted every right that our system affords as due them, notwithstanding their desire for a system of government that would deny those same freedoms to others. This is because our system of government protects the rights of everyone to individual conscience, expression, assembly, and representation. Nevertheless, our tolerance of their minority viewpoint does not require the majority of Americans to support a dramatic altering of our foundational structure and uniquely held American beliefs.

An atheist who chooses to join in reciting the Pledge of Allegiance, for purely secular motives, merely recognizes the American concept of ordered liberty through inalienable rights granted by a Creator. In so doing, they do not proclaim individual belief, or submit to personal subordination to a belief, in a higher power. The atheist participant is simply recognizing his place in a nation that itself acknowledges God as the well-spring of our basic rights, the hallmark of our system of government, and its unique identity in the history of the world.

These maxims state and affirm the uniqueness of our national identity in much the same way as "E Pluribus Unum" and "In God We Trust" does on our national currency. Recital of the Pledge of Allegiance no more requires a personal belief in a monotheistic deity than does the regular use of our currency. Far from being vain anachronisms from an unenlightened age, however, these statements on our national character reinforce the values that keep our diverse and pluralist society together, as one nation.

A pledge is a vow or promise that something is true, as "a man gives his word or makes a promise to another".[7] The Pledge of Allegiance does not require those reciting it to affirm that they believe in God. It is, as the name suggests, a pledge where the speaker affirms or promises his allegiance to a flag. The flag represents or stands for a republic. This republic then defines itself as one nation, under God, indivisible, with liberty and justice for all. It is not the individual who is describing the republic but the republic itself.

As stated above, the American Republic has a fundamental right and duty to recognize that it is under God. The descriptive words "under God" in the Pledge of Allegiance is one of the many ways that the United States has chosen to exercise this right and duty. Therefore, an atheist may pledge his allegiance to a nation that describes itself as under God without compromising his or her own personal beliefs on God's existence.

B. ALLOWING THE CONTINUED PRACTICE OF JOINTLY RECITING THE PLEDGE OF ALLEGIANCE AT THE START OF THE SCHOOL DAY DOES NOT ESTABLISH RELIGION ANY MORE THAN REQUIRING THE MEMORIZATION OF THE DECLARATION OF INDEPENDENCE OR LINCOLN'S GETTYSBURG ADDRESS.

The phrase "under God" in the pledge does not create an excessive entanglement with religion nor does it impermissibly advance religion. There is no creedal affirmation contained within the phrase "under God", nor is

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[7] AMERICAN DICTIONARY OF THE ENGLISH LANGUAGE 999 (1864 ed.)

there an endorsement of a particular sect within that phrase. This phrase is simply a recognition that the rights of a person are endowed by God and that no government can deny or abridge those rights.

Furthermore, if the Court does not overturn the decision of the Ninth Circuit, it will cast doubt on the constitutionality of other school activities. If it is unconstitutional to jointly recite the pledge of allegiance, something students are not required to do, how can it be constitutional to require students in history classes to memorize and recite documents of American history like the Mayflower Compact, The Declaration of Independence, Emancipation Proclamation, and the Gettysburg Address? All of these documents explicitly recognize the paramount importance of God as our creator?

The Ninth Circuit Court of Appeals refusal to follow clear precedent within this area of the law has resulted in a decision that could prevent any mention of God in the public sphere. This decision could subjugate the consciences of the vast majority of American citizens to the minority of this country who are offended by the clear historical and constitutionally valid practices of the United States of America. This Court, however, has already made clear that such an approach is erroneous.

> [S]chool children and others are officially encouraged to express love for our country by reciting historical documents such as the Declaration of Independence which contains references to Deity or by singing officially espoused anthems which include the composer's professions of faith in a Supreme Being, or with the fact that there are many manifestations in our public life of belief in God. Such patriotic or ceremonial occasions bear no true resemblance to the unquestioned religious exercise . . . .

Engel v. Vitale, 370 U.S. 421 (1962)

This Court must overturn the clearly erroneous decision of the Ninth Circuit. This Court has stated that children in public school should be encouraged to recite documents like the Declaration of Independence, sing patriotic anthems, and participate in patriotic ceremonial occasions. There can be no greater patriotic ceremonial occasion than publicly reciting the Pledge of Allegiance. The Court should, by reversing the Ninth Circuit, reinforce its clear decision in *Engel*.

C. ACKNOWLEDGEMENT OF GOD IN THE PLEDGE SERVES AS A FORMAL RECOGNITION THAT PERSONS INALIENABLE HUMAN RIGHTS COME FROM A CREATOR AND THEREBY PREVENTS RELIGIOUS COERCION BY OUR GOVERNMENT.

It is certainly necessary and of paramount importance to validly interpret the Establishment Clause. The founding fathers and framers of the Constitution ardently held in the First Amendment the notion that the government can not be allowed to favor various sects above others. Furthermore, the First Amendment clearly prevents the establishment of a national religion. If this court allows the removal of "under God" from the Pledge of Allegations, it will in effect be promoting the belief in the non-existence of God.

Only a misconception of the First Amendment would place it in opposition to the voluntary recital of the Pledge of Allegiance. The Pledge is a restatement of our American notion of endowed natural rights, from the equality illustrated by "liberty and justice for all," to the unity of our component

members in spite of serious differences, articulated in "one nation" and "indivisible." The phrase in dispute "Under God" follows naturally, as it eloquently embodies our belief in inalienable human rights endowed by a Creator.

The practice of school children reciting the pledge at the start of the day does not fall into the category of establishment of religion. By pledging allegiance to a nation that recognizes that it is under God America the individual reciting this pledge is ensuring that the government understands that it may go no further in its description and definition of that God. The Pledge of Allegiance embodies the principle that the definition of God should be left to the thoughts and hearts of its citizens. An atheist is free to be an atheist in America precisely because the American government has consistently recognized that God has made the mind free and state coercion of the human mind is not to be tolerated. Madison in his Memorial and Remonstrance makes this quite clear.

> Religion or the duty which we owe to our Creator and the manner of discharging it, can be directed only by reason and conviction, not by force or violence. The Religion then of every man must be left to the conviction and conscience of every man . . . . This right is in its nature an unalienable right.[8]

Knowledge of the fact that we are all "under God" protects the rights of all from incursion by a sovereign government. While a nationwide insistence on atheism would be contrary to the idea that God exists, and consequently, would be logically inconsistent with America's unique concept of inalienable human rights. Atheism does not comport with the fundamental American ideology that all

[8] James Madison, *Memorial and Remonstrance Against Religious Assessments, in* THE FOUNDERS' CONSTITUTION 82 (Philip B. Kurland & Ralph Lerner eds., 1987).

persons have been endowed by their creator with inalienable human rights. There is no protection for the freedom of those who do believe in God built into the philosophy of atheism.

Congress added the phrase "under God" to the pledge over fifty years ago to reaffirm that all Americans are endowed by their creator with inalienable human rights. This understanding allows a government like the United States to recognize that individuals are free to disbelieve that God exists. If the state is prevented from recognizing the Laws of Nature and Nature's God, there is no protection for the atheist or the theist.

CONCLUSION

The Pledge of Allegiance in its present form does not mandate a religious belief in God or establish a government endorsed religion. It is merely a pledge of allegiance to the Republic of America, a nation which was founded on the principle that persons have been endowed by their Creator with inalienable human rights. America's Republic has been birthed, nurtured, and sustained by the recognition of the Laws of Nature and Nature's God.

America's acknowledgment that it is under the Laws of Nature and Nature's God is the very bedrock of its governmental framework. This acknowledgement emphasizes the United States' freedom and responsibility to include the fundamental principle, that America is one nation under God, into its Pledge of Allegiance. This principle is even more essential then the Pledge's affirmation that we are one nation, indivisible, with liberty and justice for all.

Those events in America's history which are examples of its brightest promise of liberty, from the recognition of the inherent equality all peoples, to the repudiation of slavery, have sprung from its unique

recognition of a higher law. To hold that the United States Constitution prevents school districts from reciting the Pledge of Allegiance, in its present form, is inherently contradictory to a strict reading of the Constitution and the founding principles of this great nation.

Respectfully Submitted,

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